

DECLARATION AND POWER OF ATTORNEY

I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**CHIMERIC EMBRYOS AND ANIMALS CONTAINING HUMAN CELLS**

A patent application is filed herewith, as Application Serial No. \_\_\_\_\_, and was amended on \_\_\_\_\_, (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign/provisional priority benefits under Title 35, United States Code, § 119 of any foreign/provisional application(s) for patent or inventor's certificate listed below and have also identified below any foreign/provisional application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign/Provisional Application(s)	<u>Priority Claimed</u>
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<u>N/A</u>	_____	_____	_____
(Number)	(Country)	(Day/Month/Year Filed)	Yes/No

<u>N/A</u>	_____	_____	_____
(Number)	(Country)	(Day/Month/Year Filed)	Yes/No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>N/A</u> (Application Serial No.)	<u>                    </u> (Filing Date)	<u>                    </u> (Status) (patented, pending, abandoned)
<u>N/A</u> (Application Serial No.)	<u>                    </u> (Filing Date)	<u>                    </u> (Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Power of Attorney: As the named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith with full power of substitution and revocation: Patrick J. Coyne, Reg. No. 31,821, David R. Yohannan, Reg. No. 37,480, Glenn T. Barrett, Reg. No. 38,705, Erik R. Swanson, Reg. No. 40,833 and Howard N. Shipley, Reg. No. 39,370.

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COLLIER, SHANNON, RILL & SCOTT, PLLC  
3050 K Street, N.W.  
Washington, D.C. 20007

Direct Telephone Calls to: Patrick J. Coyne, Esq.  
(202) 342-8606

Stuart A. Newman

Date \_\_\_\_\_

Stuart A Newman

December 15, 1997

23 Iroquois Road, Pleasantville, NY 10570

United States

Same as residence

THE UNIVERSITY OF CHICAGO

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(c))—NON-PROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: The Foundation on Economic Trends

ADDRESS OF ORGANIZATION: 1660 L Street, N.W., Suite 216, Washington, D.C. 20036

TYPE OF ORGANIZATION:

- ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) AND 501(c) (3))
- ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(Name of State: \_\_\_\_\_)  
(Citation of Statute: \_\_\_\_\_)
- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) AND 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
- ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OR THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(Name of State: \_\_\_\_\_)  
(Citation of Statute: \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled CHIMERIC EMBRYOS AND ANIMALS CONTAINING HUMAN CELLS by Stuart A. Newman

described in

- ☒ the specification filed herewith.
- ☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_.
- ☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or by a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified

[illegible]

☒ INDIVIDUAL      ☐ SMALL BUSINESS CONCERN      ☐ NONPROFIT ORGANIZATION

☐ INDIVIDUAL                      ☐ SMALL BUSINESS CONCERN                      ☐ NONPROFIT ORGANIZATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NO. 6368 P. 2/2

COLLIER, SHANNON

DEC. 16. 1997 2:58PM

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(c))—INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent & Trademark Office with regard to the invention entitled CHIMERIC EMBRYOS AND ANIMALS CONTAINING HUMAN CELLS

and described in

☒ [XX] the specification filed on herewith.

☐ [ ] application serial no. \_\_\_\_\_, filed \_\_\_\_\_.

☐ [ ] patent no. \_\_\_\_\_, issued \_\_\_\_\_.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below.

☐ [ ] no such person, concern or organization

☒ [X] person, concerns or organizations listed below

\* NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME: The Foundation on Economic Trends

ADDRESS: 1660 L Street, N.W., Suite 216, Washington, DC 20036

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☒ NONPROFIT ORGANIZATION

NAME:

N/A

ADDRESS:

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification or any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Stuart A. Newman

NAME OF INVENTOR

Stuart A Newman

Signature of Inventor

December 15, 1997

Date

403121-14540000